

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MDL No. 2672 CRB (JSC)

IN RE: VOLKSWAGEN "CLEAN DIESEL"
MARKETING, SALES PRACTICES, AND
PRODUCTS LIABILITY LITIGATION

**PRETRIAL ORDER NO. 2:
APPLICATIONS FOR APPOINTMENT
OF PLAINTIFFS' LEAD COUNSEL
AND STEERING COMMITTEE
MEMBERS**

This Order Relates To:

ALL ACTIONS

In Pretrial Order No. 1 (Dkt. No. 2), the Court noted that it intended to appoint a Plaintiffs' Steering Committee(s) to conduct and coordinate the pretrial stage of this litigation with the defendants' representatives or committee. The Court thus issues this Order to set forth the schedule and procedure for appointing Plaintiffs' lead counsel(s) and steering committee(s). The Court may appoint steering committee members whose primary responsibility is to represent the interests of particular categories of putative plaintiff class members, for example, car owners or lessees, or car dealership plaintiffs.

The Court requires individual application for a lead counsel or steering committee position. Any attorney who has filed an action in this MDL litigation may apply for a lead counsel or steering committee position or both. All applications must be e-filed in the Master file, 15-MD-2672, on or before **Friday, January 8, 2016**.

Each attorney's application shall include a resume no longer than two pages and a letter no longer than three pages (single-spaced) addressing the following criteria:

(1) professional experience in this type of litigation, including MDL experience as lead or liaison counsel and/or service on any plaintiffs' committees or subcommittees;

- (2) the names and contract information of judges before whom the applicant has appeared in the matters discussed in response to no. 1 above;
- (3) willingness and ability to immediately commit to time-consuming litigation;
- (4) willingness and ability to work cooperatively with other plaintiffs' counsel and defense counsel;
- (5) access to resources to prosecute the litigation in a timely manner;
- (6) willingness to serve as lead counsel, a member of a steering committee, or both;
- (7) the particular category or categories of plaintiffs the applicant wants to specifically represent (vehicle owners, lessees, dealerships or all plaintiffs, etc.); and
- (8) any other considerations that qualify counsel for a leadership position.

Applications may also include an attachment indicating the names of other counsel who have filed cases in this MDL litigation and support the applicant's appointment as lead counsel or a steering committee member.

All responses or objections to applications must be e-filed in the Master file, 15-MD-2672, on or before **Thursday, January 14, 2016** and are likewise limited to three single-spaced pages. The Court will hold an initial case management conference on Thursday, January 21, 2016; at that time applicants will have the opportunity to address the Court briefly in person. Thereafter, the Court will appoint lead counsel(s) and members of the steering committee(s) as promptly as practicable.

IT IS SO ORDERED.

Dated: December 22, 2015



CHARLES R. BREYER
United States District Judge